



**Notice of the Indiana Department of Education's (IDOE) Intent To Apply to the United States Department of Education (USDE) for a Waiver of the Prohibition on Approving a School or District Identified for Improvement as an SES Provider**

**IDOE is required to notify Indiana citizens of the state's intent to request a waiver for Prohibition on Approving a School or District Identified for Improvement as an SES Provider.**

IDOE requests a one-year waiver of the Title I, Part A regulatory provision that prohibits a District or school from approving as providers of supplemental educational services schools identified for improvement, corrective action, or restructuring and districts identified for improvement or correction action. [34 C.F.R. § 200.47(b)(1)(iv)(A), (B)]. Indiana is required to inform the public that the waiver is being requested.

Under the law, IDOE may approve as an SES provider only an entity that has a demonstrated record of effectiveness in increasing student academic achievement. IDOE believes that identified schools and districts may be able to establish that they have an effective program that can help improve academic achievement of students and should not be prevented automatically from gaining approval simply because of their improvement status.

Public comment is encouraged via [nclbwaivers@doe.in.gov](mailto:nclbwaivers@doe.in.gov) . All comments will be included with this waiver request when submitted to USDE.



**Notice of the Indiana Department of Education's (IDOE) Intent To Apply to the United States Department of Education (USDE) for a Waiver of the ARRA Funds in Determining a District's 20% Obligation for Choice-Related Transportation and SES**

**IDOE is required to notify Indiana citizens of the state's intent to request a waiver of the ARRA Funds on Determining a District's 20% Obligation for Choice-Related Transportation and SES**

IDOE is requesting a waiver for fiscal year (FY) 2009 of the requirement in section 1116(b)(10) of the ESEA and in 34 C.F.R. § 200.48(a)(2) to determine an LEA's "20 percent obligation" for public school choice-related transportation and supplemental educational services (SES) based on the District's total FY 2009 Title I, Part A allocation [i.e., including both its regular Title I, Part A allocation and its Title I, Part A allocation under the American Recovery and Reinvestment Act of 2009 (ARRA)]. Specifically, IDOE is seeking this waiver to allow Districts within Indiana to exclude some or all of the Title I, Part A funds they receive under the ARRA in calculating their "20 percent obligation" for choice-related transportation and SES.

IDOE believes that the requested waiver will increase the quality of instruction for students and improve the academic achievement of students by providing each District within Indiana with flexibility to spend ARRA funds that the District would otherwise be obligated to spend on SES or choice-related transportation on other allowable Title I, Part A activities that the LEA believes best address the particular needs of its students.

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**Notice to the Indiana Department of Education's (IDOE) Intent to Apply to the United States Department of Education (USDE) for a Waiver of the ARRA Funds in Determining the 10 Percent Professional Development Set-Aside for an LEA in Improvement**

IDOE is requesting a waiver for fiscal year (FY) 2009 of the requirement in section 1116(b)(7)(A)(iii) of the ESEA to determine an LEA's 10 percent professional development set-aside based on the LEA's total FY 2009 Title I, Part A allocation (i.e., including both its regular Title I, Part A allocation and its Title I, Part A allocation under the American Recovery and Reinvestment Act of 2009 (ARRA)). In particular, IDOE is seeking this waiver to allow LEAs within Indiana that are identified for improvement to exclude some or all of the Title I, Part A funds they receive under the ARRA in calculating their 10 percent professional development set-aside.

IDOE believes that the requested waiver will increase the quality of instruction for students and improve the academic achievement of students by providing each LEA within Indiana with flexibility to spend ARRA funds that the LEA would otherwise be obligated to spend on professional development on other allowable Title I, Part A activities that the LEA believes best address its particular needs. Indiana believes that the basic 10 percent set-aside, which LEAs will still have to provide, is substantial and that requiring significantly more funds to be spent on professional development, absent actual need, may actually be counter-productive by overwhelming teachers, many of whom are already over-scheduled and cannot meaningfully absorb substantially more professional development. Through the waiver, each LEA can determine whether its professional development needs warrant expending Title I, Part A ARRA funds to meet those needs.

Public comment is encouraged via [nclbwaivers@doe.in.gov](mailto:nclbwaivers@doe.in.gov). All comments will be included with this waiver request when submitted to USDE.



**Notice to the Indiana Department of Education's (IDOE) Intent to Apply to the United States Department of Education (USDE) for a Waiver of the ARRA Funds in Determining the 10 Percent Professional Development Set-Aside for a School in Improvement**

IDOE is requesting a waiver for fiscal year (FY) 2009 of the requirement in section 1116(b)(3)(A)(iii) of the ESEA to determine a school's 10 percent professional development set-aside based on the total amount of funds made available to the school under section 1113 of the ESEA for FY 2009 (i.e., including funds made available from both the LEA's regular Title I, Part A allocation and its Title I, Part A allocation under the American Recovery and Reinvestment Act of 2009 (ARRA)). In particular, IDOE is seeking this waiver to allow Title I schools within Indiana that are identified for improvement to calculate their 10 percent professional development set-aside in a formula developed by USDE.

IDOE believes that, ultimately, ensuring that a school is not obligated to spend a disproportionate amount of Title I, Part A funds on professional development may help more schools and Districts within the State make AYP by enabling them to direct an appropriate portion of their funds to activities other than professional development that they believe will help their students meet the state's achievement standards. Through the waiver, each school can determine whether its professional development needs warrant expending Title I, Part A ARRA funds to meet those needs.

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**Notice to the Indiana Department of Education's (IDOE) Intent To Apply to the United States Department of Education (USDE) for a Waiver to Exclude Title I, Part A American Recovery and Reinvestment Act (ARRA) Funds in Determining the Per-Pupil Amount for Supplemental Educational Services (SES).**

**IDOE is required to notify Indiana citizens of the state's intent to request a waiver of the ARRA Funds on Determining the Per-Pupil Amount for SES.**

IDOE is requesting a waiver for fiscal year (FY) 2009 of the requirement in section 1116 (e)(6)(A) of the Elementary and Secondary Education Act of 2001 (ESEA) and in 34 C.F.R. § 200.48(c)(1) to determine the per-pupil amount for SES based on an LEA's total FY 2009 Title I, Part A allocation (i.e., including both its regular Title I, Part A allocation and its Title I, Part A allocation under the ARRA). Specifically, I am seeking this waiver to allow LEAs within Indiana to exclude some or all of the Title I, Part A funds they receive under ARRA in calculating the per-pupil amount for SES. IDOE believes that the requested waiver, by reducing the per-pupil amount, will allow LEAs to provide SES to a greater number of students.

IDOE believes that the requested waiver will increase the quality of instruction for students and improve the academic achievement of students by providing each District within Indiana with flexibility to spend ARRA funds that the District would otherwise be obligated to spend on SES or choice-related transportation on other allowable Title I, Part A activities that the LEA believes best address the particular needs of its students.

Public comment is encouraged via [nclbwaivers@doe.in.gov](mailto:nclbwaivers@doe.in.gov) . All comments will be included with this waiver request when submitted to USDE.